



THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Frank Joseph Pennisi, Jr.

: Art Unit: 3623

Serial No.: 09/475,962

: Examiner: Van Doren, Beth

Filed: December 30, 1999

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For: CAPACITY MONITORING PROCESS FOR A
GOODS DELIVERY SYSTEM

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COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

The following comments are in response to the Examiner's Statement of Reasons for Allowance in the Notice of Allowability dated February 27, 2007.

Applicant respectfully disagrees with the Examiner's Statement of Reasons for Allowance because such statements may have unintentionally introduced some ambiguities in what was otherwise a very concise and thorough examination of the claims of this patent application. While Applicant believes that the claims are allowable, Applicant does not acquiesce that patentability resides in the features paraphrased in the Examiner's Statement of Reasons for Allowance.

Also, reasons for allowance are only warranted in instances in which the record of the prosecution as a whole does not make clear the Examiner's reasons for allowing a claim or claims (see 37 CFR §1.104(e)). In the present patent application, Applicant believes the record as a whole makes the reasons for allowance clear and therefore no statement by the Examiner is necessary or warranted.

Respectfully submitted,

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